REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-12 are all the claims pending in the application. Claims 6-12 are withdrawn from

consideration on the basis of a restriction requirement dated March 27, 2007. In response to the

Office Action, Applicant respectfully submits that the claims define patentable subject matter.

I.   Overview of Office Action

Claims 1-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Little et al.

(U.S. Patent Application Publication No. 2003/0172122, hereafter "Little") in view of Gupta et

al. (U.S. Patent No. 6,389,532, hereafter "Gupta").

II.   Preliminary Matters

A. Foreign Priority

A certified copy of the Foreign Priority document was filed in the U.S. Patent and

Trademark Office on March 16, 2004. However, the Examiner did not properly acknowledge

receipt of the Foreign Priority document by checking box 12(a)(1) of the Office Action

Summary. Applicant hereby requests that the Examiner fully acknowledge receipt of the Foreign

Priority document in the next Office Action.

B. Information Disclosure Statement

Applicant thanks the Examiner for initialing and returning a copy of the PTO/SB/08 form

filed on March 16, 2004. However, Applicant notes that the Examiner did not indicate that the

DE 101 17 054 reference was considered. By this Amendment, Applicant has provided a

translated copy of the reference for consideration by the Examiner. Accordingly, the Examiner

is requested to indicate that this reference has been considered in the next Office Action.

III.   Prior Art Rejections

Disclosure of Little

Little generally relates to a system for providing secure message signature status and trust

status indicators (paragraph [0005]). A secure message having a digital signature generated by a

sender is checked against the trust status of the sender. A first indicator of the result of the

checking of the digital signature and a second indicator of the result of the checking of the trust

status of the sender are displayed (paragraph [0005]).

Disclosure of Gupta

Gupta generally relates to a method which uses digital signatures to filter packets in a

network (column 1, lines 58-62). A filter point receives a packet including a header, detects the

existence of a signature in the header, tests the validity of the signature using a public key, and

forwards the packet in accordance with the validity of the signature (column 1, line 63 to column

2, line 14). A sender uses a private key obtained from an owner to generate the signature, which

is created by encrypting a fingerprint which corresponds to the data in the packet (column 2,

lines 15-29).

Analysis

Applicant respectfully submits that the cited references, Little and Gupta, have little or no

relevance to the claimed invention.

The Examiner alleges that Little discloses all of the features of independent claim 1

except for the feature "wherein a sent Multimedia Messaging Service message includes an

electronic stamp whose validity is verified by said multimedia message service center." The

Examiner thus relies on Gupta to cure this conceded deficiency. Applicant respectfully disagrees

with the Examiner's position, and submits that the Examiner's position is erroneous due to a misreading of independent claim 1.

The claimed inventions relates to a simple billing system in a multimedia message service. An electronic stamp which is acquired from a stamp provider, is attached to a multimedia messaging service message. The validity of the stamp is verified before the message is delivered to a destination terminal. Accordingly, the senders of multimedia messaging service messages are billed directly for the cost of MMS messages.

Applicant respectfully submits that there is no teaching or suggestion in the cited references of including an underline electronic stamp in a multimedia message. The Examiner appears to read the claimed "stamp" on a digital signature disclosed in the cited references. However, a digital signature is a type of assymetric cryptography used to simulate the security properties of a person's signature in digital, rather than handwritten, form. Digital signature schemes normally give two algorithms, one for signing which involves the user's secret or private key, and one for verifying signatures which involves the user's public key. The output of the signature process is called the "digital signature." Digital signatures, like written signatures, are used to provide authentication of the associated input, usually called a "message", and are not used for (and do not have) a monetary or numerical value.

Further, Applicant respectfully reminds the Examiner that the claims are to be interpreted in light of the specification.[1] In this case, the specification clearly discloses that the electronic

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[1] The court explained that "reading a claim in light of the specification, to thereby interpret limitations explicitly recited in the claim, is [permissible] See *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

stamp has a value associated with it (for example, page 5, lines 23-25 and page 8, line 34 to page 9, line 28), a feature that is simply not taught or suggested by the cited references.

The Examiner cites column 7, lines 1-27 of Gupta as allegedly disclosing the claimed electronis stamp. However, this cited portion of Gupta merely discloses detecting whether a signature exists in the header of a packet. If the signature is found in the header of the packet, a public key and a router are used to check its validity. There is simply no disclosure in Gupta (or Little) that "a sent Multimedia Messaging Service message includes an electronic stamp whose validity is verified by said multimedia message service center", as recited in independent claim 1.

It is also quite clear that the cited references do not teach or suggest the features of dependent claim 3. In particular, there is no teaching or suggestion in the cited references that a "value associated with said stamping field of said header is an encrypted numerical value", as recited in the claim. The Examiner cites paragraphs [0025] and [0028] and element 44 of FIG. 2 of Little as allegedly disclosing this feature of the claim. However, as discussed above, these cited portions of Little pertain to digital signatures and not to electronic stamps.

Further, it is also quite clear that the cited references do not teach or suggest the features of dependent claim 4. In particular, there is no teaching or suggestion in the cited references that a "value associated with said stamping field in said header is a binary value indicating the presence of said electronic stamp in said message body", as recited in the claim. The Examiner cites column 5, lines 55-65 of Gupta and paragraph [0028] of Little as allegedly disclosing this feature of the claim. However, as discussed above, these cited portions of Little pertain to digital signatures and not to electronic stamps.

Accordingly, Applicant respectfully submits that claim 1 should be allowable because the cited references do not teach or suggest all of the features of the claim. Claims 2-5 should also be allowable at least by virtue of their dependency on independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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